



REGULAR MEETING OF THE MILPITAS CITY COUNCIL

For assistance in the following languages, you may call:

Đối với Việt Nam, gọi 408-586-3122

Para sa Tagalog, tumawag sa 408-586-3051

Para español, llame 408-586-3232

AGENDA

TUESDAY, MARCH 19, 2019

COUNCIL CHAMBERS, 455 E. CALAVERAS BLVD., MILPITAS, CA

5:30 PM (CLOSED SESSION)

7:00 PM (PUBLIC BUSINESS)

CALL MEETING TO ORDER by Mayor and ROLL CALL by City Clerk

ADJOURN TO CLOSED SESSION

(a) CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation

Pursuant to Government Code Section 54956.9(d)(4)

City as Plaintiff

(b) PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code Section 54957

Employee Position: City Manager

CLOSED SESSION ANNOUNCEMENT: Report on action taken in Closed Session, if required per Government Code Section 54957.1, including the vote or abstention of each member present

PLEDGE OF ALLEGIANCE

INVOCATION (Councilmember Montano)

PRESENTATIONS

- Proclaim March 2019 as *Red Cross Month*
- Proclaiming March 2019 as *Women's History Month*
- Recognition of the Santa Clara County Commission on the Status of Women

PUBLIC FORUM

Those in the audience are invited to address City Council on any subject not on tonight's agenda. Speakers must come to the podium, state their name and city of residence for the Clerk's record, and limit spoken remarks to three minutes. As an item not listed on the agenda, no response is required from City staff or the Council and no action can be taken. Council may instruct the City Manager to place the item on a future meeting agenda.

ANNOUNCEMENTS

ANNOUNCEMENT OF CONFLICT OF INTEREST AND CAMPAIGN CONTRIBUTIONS

APPROVAL OF AGENDA

CONSENT CALENDAR

Consent calendar items are considered to be routine and will be considered for adoption by one motion. There will be no separate discussion of these items unless a City Councilmember, member of the audience or staff requests the Council to remove an item from (or be added to) the consent calendar. Any person desiring to speak on any item on the consent calendar should ask to have that item removed from the consent calendar. If removed, this item will be discussed in the order in which it appears on the agenda.

- C1. Accept the City Council Calendars of Meetings for months of March and April 2019 (Staff Contact: Mary Lavelle, 408-586-3001)**
- C2. Receive and Approve City Council Meeting Minutes of February 26 and March 5, 2019 (Staff Contact: Mary Lavelle, 408-586-3001)**

Recommendation: Approve Meeting Minutes of the Special City Council meeting on February 26 and of the Special & Regular Meetings on March 5, 2019.

- C3. Adopt a Resolution to Accept the 2018 Emergency Management Performance Grant (EMPG) Funds, Authorize the City Manager or Designee to Execute the Related Agreement with the County of Santa Clara, and Appropriate Funds (Staff Contact: Toni Charlop, 408-586-2801)**

Recommendations:

1. Adopt a Resolution to accept the 2018 Emergency Management Performance Grant (EMPG) funds and authorize the City Manager (or designee) to execute the related Agreement with the County of Santa Clara.
2. Approve a budget amendment to appropriate funds in the amount of \$4,200 to the Fire Department's FY 2018-19 Operating Budget.

- C4. Adopt a Resolution Authorizing the Purchasing Agent to Purchase Three Fire Vehicles from the National Auto Fleet Group for a total of \$127,721.41 through a Cooperative Procurement Contract (Staff Contact: Rick Frawley, 408-586-2824)**

Recommendation: Adopt a resolution authorizing the Purchase Agent to purchase three fire vehicles from the National Auto Fleet Group for the total amount of \$127,721.41 through a cooperative procurement contract through Sourcewell, formerly NJPA.

- C5. Adopt a Resolution to Approve the Award of a Sole Source Contract to Storm Water Maintenance & Inspections Services, Inc. (SWIMS); Authorize the City Manager to Execute a Contract for Procurement, Installation, and Maintenance of Stormtek Storm Drain Inlet Trash Capture Devices in the Amount of \$290,195; Authorize the Engineering Director/City Engineer to Negotiate and Execute Contract Change Order(s) in an Aggregate Amount Not to Exceed \$30,000 for Trash Removal Devices, Project No. 3713 (Staff Contact: Steve Erickson, 408-586-3301)**

Recommendations:

1. Adopt a resolution to approve the award of a sole source contract to Storm Water Maintenance Services, Inc. (SWIMS).
2. Authorize the City Manager to execute a contract with SWIMS, for the fabrication, installation, and maintenance of Stormtek Storm Drain Inlet Trash Capture Devices for the Trash Removal Devices, Project No. 3713, in the amount of \$290,195.
3. Authorize the Engineering Director/City Engineer to negotiate and execute contract change order(s) in an aggregate amount not to exceed \$30,000 for the project.

- C6. Adopt a Resolution Listing Projects for FY 2019-20 Funded by SB 1 Road Repair and Accountability Act of 2017 (Staff Contact: Steve Erickson, 408-586-3301)**

Recommendation: Adopt a Resolution listing projects for FY 2019-20 to be funded by SB 1 Road Repair and Accountability Act of 2017.

- C7. Authorize Out of State Travel for Public Works Director Tony Ndah to attend the Utility Engineering and Surveying Institute (UESI) Pipelines 2019 Conference in Nashville, Tennessee, July 21 – 24, 2019 (Staff Contact: Tony Ndah, 408-586-2602)**

Recommendation: Authorize Out of State Travel for Public Works Director Tony Ndah to attend the Utility Engineering and Surveying Institute (UESI) Pipelines 2019 Conference in Nashville, TN, July 21–24, 2019.

C8. Authorize Out of State Travel Authorization-Fire Department Instructors Conference Attendance in Indianapolis, IN for 1 Fire Captain (Staff Contact: Geoff Maloon, 408-586-2800)

Recommendation: Approve out of state travel for Fire Captain G. Perez to attend training Fire Department Instructors Conference in Indianapolis, IN for the dates of April 4 – 12, 2019.

C9. Authorize and Approve Out of State Travels for Mayor Tran and Vice Mayor Dominguez to Attend the U.S. Conference of Mayors' 87th Annual Meeting in Honolulu, HI Scheduled June 28 – July 1, 2019; and for Councilmember Montano to Attend the National Association of Latino Elected and Appointed Officials' 36th Annual Conference in Miami, FL Scheduled June 20 – 22, 2019 (Staff Contact: Julie Edmonds-Mares, 408-586-3050)

Recommendation: Authorize and approve out-of-state travels for Mayor Tran and Vice Mayor Dominguez to attend the U.S. Conference of Mayors' 87th Annual Meeting in Honolulu, Hawaii and Councilmember Montano to attend the NALEO's 36th Annual Conference in Miami, Florida, for a combined total expense amount not to exceed budgeted Conferences/Meeting allocation of \$15,000.

C10. Approve Amendment No. 2 to the Agreement with BMI Imaging Systems, Inc. to Provide Additional Funding for the Remainder of the Agreement (Staff Contact: Mike Luu, 408-586-2706)

Recommendation: Approve Amendment No. 2 to the Agreement with BMI Imaging Systems to increase the total value of the assumed Piggyback Agreement of \$84,070.35 by \$150,000 for a new total amount not to exceed \$234,070.35.

C11. Approve and Authorize the City Manager to Execute Amendment No. 1 with Avolve Software for the purchase of ProjectDox Test System and Assurance Services (Staff Contacts: Chris Schroeder, 408-586-3161 and Mike Luu, 408-586-2706)

Recommendation: Approve and authorize the City Manager to Execute Amendment No. 1 with Avolve Software for the purchase of ProjectDox Test System and Assurance Services in the amount of \$35,074.87, resulting in a new total contract amount of \$369,731.07.

C12. Approve and Authorize the City Manager to Execute a Master Funding Agreement between the City and the Santa Clara Valley Transportation Authority (VTA) for 2016 Measure B Local Streets and Roads Program (Staff Contact: Steve Erickson, 408-586-3301)

Recommendation: Approve and authorize the City Manager to execute a Master Funding Agreement between the City and the Santa Clara Valley Transportation Authority (VTA) for 2016 Measure B Local Streets and Roads Program.

C13. Approve Amendment No. 11 to the Consulting Services Agreement with Vali Cooper & Associates/TRC, Inc. (Staff Contact: Steve Erickson, 408-586-3301)

Recommendation: Approve Amendment No. 11 to the Consulting Services Agreement with Vali Cooper & Associates/TRC, Inc. to Extend the Term to December 31, 2019 to Continue Support on the Silicon Valley Rapid Transit Program Berryessa Extension (SVBX) Project, Project No. 4265.

C14. Approve and Authorize the City Manager to Execute Amendment No. 2 to the Agreement with Telecommunications Engineering Associates for Maintenance and Support of the Public Safety Dispatch Center Telecommunications System and Analog Radio System (Staff Contacts: Chris Schroeder, 408-586-3161 and Henry Kwong 408-586-2419)

Recommendations:

1. Approve and authorize the City Manager to execute Amendment No. 2 to the Agreement with Telecommunications Engineering Associates, a Subsidiary of Daryl D. Jones, Inc. for Maintenance and Support of the Public Safety Dispatch Center Telecommunications System and Analog Radio System.

2. Authorize the Purchasing Agent to exercise option years 2 and 3 per the terms of the agreement.

- C15. Authorize the Milpitas Fire Department to submit an application to the Department of Homeland Security for consideration of funding under the Staffing for Adequate Fire and Emergency Response (SAFER) Grant for the hiring of 6 Firefighters (Staff Contact: Rick Frawley, 408-586-2824)**

Recommendation: Authorize the Milpitas Fire Department to submit an application to the Department of Homeland Security for consideration of funding under the Staffing for Adequate Fire and Emergency Response (SAFER) Grant for the hiring of six Firefighters.

- C16. Consider Mayor's Recommendation and Move to Re-appoint One Commissioner on the Milpitas Veterans Commission (Contact: Mayor Tran, 408-586-3029)**

Recommendation: Receive Mayor Tran's recommendation, and move to re-appoint Commissioner Ed Smythe to the Milpitas Veterans Commission to new 3-year term that will expire in February of 2022.

- C17. Authorize Letter of Support for Assembly Constitutional Amendment (ACA) 1 (Aguiar-Curry, D): Local Government Financing: Affordable Housing and Public Infrastructure: Voter Approval (Staff Contact: Ashwini Kantak, Assistant City Manager, 408-586-3053)**

Recommendation: Authorize the City Manager to issue a letter of support for Assembly Constitutional Amendment 1 (Aguiar-Curry, D): *Local government financing: affordable housing and public infrastructure: voter approval* to state legislators and representatives at the League of California Cities.

COMMUNITY DEVELOPMENT

- 18. Receive Report and Provide Comments on the Community Development Service Area – Service Delivery/Organizational Assessment and Fee Study (Staff Contact: Steve McHarris, 408-586-3059)**

Recommendation: Receive report and provide comments on the Community Development Service Area – Service Delivery/Organizational Assessment and Fee Study.

PUBLIC SAFETY

- 19. Receive Police Staffing Assessment and Operations Report (Staff Contact: Armando Corpuz, 408-586-2402)**

Recommendation: Receive Police Staffing Assessment and Operations Report completed by the Center for Public Safety Management.

LEADERSHIP AND SUPPORT SERVICES

- 20. Discuss the formation of a Council Agenda Subcommittee and provide direction to staff on next steps. Provide direction to staff on meeting management items, if any, to be incorporated into the Council handbook (Staff Contact: Ashwini Kantak, 408-586-3053)**

Recommendation: Discuss the formation of a Council Agenda Subcommittee and provide direction to staff on next steps. Provide direction to staff on meeting management items, if any, to be incorporated into the Council handbook.

- 21. Adopt a Resolution to amend the City of Milpitas Classification Plan to adjust the Salary Ranges of Unrepresented Police Management and Unrepresented Fire Management classifications and Approve to tie-in the MPOA and IAFF salary increases to Unrepresented Police and Unrepresented Fire Management to their respective bargaining units beginning with the next upcoming MOU increases and until expiration of current Memorandums of Understanding (MOU) (Staff Contact: Liz Brown, 408-586-3086)**

Recommendations:

1. Adopt a resolution amending the Classification Plan Salary Ranges.

2. Approve to tie-in the Milpitas Police Officers Association (MPOA) and International Association of Fire Fighters (IAFF) salary increases to Unrepresented Police and Unrepresented Fire Management to their respective bargaining units beginning with the next upcoming MOU increases and until expiration of current Memorandums of Understanding.

22. Adopt a Resolution Amending the Classification Plan to Establish and Authorize an Employee Relations Officer position for the Human Resources Department 2018-19 Budget (Staff Contact: Liz Brown, 408-586-3086)

Recommendation: Adopt a Resolution to amend the Classification Plan to establish the classification and salary range of Employee Relations Officer, and authorize one additional Full Time Equivalent (FTE) Employee Relations Officer position for the FY 2018-19 Human Resources Department Operating Budget.

REPORTS OF MAYOR & COUNCILMEMBERS - from the assigned Commissions, Committees and Agencies

NEXT AGENDA PREVIEW

23. Receive and Review Preview Agenda for City Council Meeting on April 2, 2019 (Staff Contact: Mary Lavelle, 408-586-3001)

ADJOURNMENT

NEXT REGULAR CITY COUNCIL MEETING
APRIL 2, 2019

KNOW YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and the City operations are open to the people's review.

For more information on your rights under the Open Government Ordinance or to report a violation, contact the City Attorney's office at Milpitas City Hall, 455 E. Calaveras Blvd., Milpitas, CA 95035
e-mail: cdiaz@ci.milpitas.ca.gov / Phone: 408-586-3040

The Open Government Ordinance is codified in the Milpitas Municipal Code as Title I Chapter 310 and is available online at the City's website www.ci.milpitas.ca.gov by selecting the Milpitas Municipal Code link.

Materials related to an item on this agenda submitted to the City Council after initial distribution of the agenda packet are available for public inspection at the City Clerk's office at Milpitas City Hall, 3rd floor 455 E. Calaveras Blvd., Milpitas and on City website. City Council agendas and related materials can be viewed online here: www.ci.milpitas.ca.gov/government/council/agenda_minutes.asp
(select meeting date)

APPLY TO SERVE ON A CITY COMMISSION

Commission application forms are available online at www.ci.milpitas.ca.gov or at Milpitas City Hall. Contact the City Clerk's office at 408-586-3003 for more information.

If you need assistance, per the Americans with Disabilities Act, for any City of Milpitas public meeting, please call the City Clerk at 408-586-3001 or send an e-mail to mlavelle@ci.milpitas.ca.gov prior to the meeting. You may request a larger font agenda or arrange for mobility assistance. For hearing assistance, headsets are available in the City Council Chambers for all meetings.